

CSD 1181 [07/01/18]

13

Name, Address, Telephone No. & I.D. No.

SAMUEL R. MAIZEL (Bar No. 189301)
 TANIA M. MOYRON (Bar No. 235736)
 DENTONS US LLP
 601 South Figueroa Street, Suite 2500
 Los Angeles, CA 90017
 Telephone 213-623-9300

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA
 325 West F Street, San Diego, California 92101-6991

In Re

BORREGO COMMUNITY HEALTH FOUNDATION

BANKRUPTCY NO. 22-02384-11

Tax I.D.(EIN)#: 33-0440021 /S.S.#:XXX-XX-____ Debtor.**NOTICE OF HEARING AND MOTION**

TO THE DEBTOR, ALL CREDITORS AND OTHER PARTIES IN INTEREST:

You are hereby notified that on July 27, 2023, at 9:30 a.m., in Department 3, Room 129, of the Jacob Weinberger United States Courthouse, located at 325 West F Street, San Diego, California 92101-6991, there will be a hearing regarding the Motion of Debtor, for [check the appropriate box]:

- ☐ Dismissal of a chapter 7, 11 or 12 case;
- ☐ Conversion of a chapter 7, 11 or 12 case by a party other than the debtor;
- ☐ Allowance of ☐interim ☐final compensation or reimbursement of expenses of professionals as provided in Exhibit "A" [information required by FRBP 2002(c)(2)];
- ☐ Appointment of a trustee in a chapter 11 case; or
- ☒ Other [specify the nature of the matter]:
 Motion to Reject an Unexpired Lease and an Unexpired Sublease; Declaration of Isaac Lee in Support Thereof [Dkt No. 772].

If not required to be attached, a set of the moving papers will be provided, upon request, by the undersigned or may be inspected at the office of the Clerk.

Any opposition or other response to the motion must be served upon the undersigned and the original and one copy of such papers with proof of service must be filed with the Clerk of the U.S. Bankruptcy Court at 325 West F St., San Diego, California 92101-6991, **not later than fourteen (14)¹ days from the date of service.**

DATED: July 5, 2023

/s/ Tania M. Moyron

 [Attorney for] Moving Party

¹Depending on how you were served, you may have additional time for response. See FRBP 9006.

CSD 3010 [07/01/18]

Name, Address, Telephone No. & I.D. No.

Jonathan J. Thomson
KCC
222 N. Pacific Coast Highway, 3rd Floor
El Segundo, CA 90245
424-445-9400

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA
325 West F Street, San Diego, California 92101-6991

In Re
Borrego Community Health Foundation,

Debtor.

BANKRUPTCY NO. 22-02384

Plaintiff(s)

ADVERSARY NO.

v.

Defendant(s)

PROOF OF SERVICE

I, Jonathan J. Thomson am a resident of the State of California, over the age of 18 years, and not a party to this action.

On June 29, 2023, I served the following documents:

Notice of Hearing and Motion re: Motion to Reject an Unexpired Lease; Declaration of Isaac Lee in Support Thereof

1. To Be Served by the Court via Notice of Electronic Filing ("NEF"):

Under controlling Local Bankruptcy Rules(s) ("LBR"), the document(s) listed above will be served by the court via NEF and hyperlink to the document. On June 29, 2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the e-mail address(es) indicated and/or as checked below:

☐

Chapter 7 Trustee:

☒

For Chpt. 7, 11, & 12 cases:

UNITED STATES TRUSTEE
ustp.region15@usdoj.gov

☐

For ODD numbered Chapter 13 cases:

THOMAS H. BILLINGSLEA, JR., TRUSTEE
Billingslea@thb.coxatwork.com

☐

For EVEN numbered Chapter 13 cases:

DAVID L. SKELTON, TRUSTEE
admin@ch13.sdcoxmail.com
dskelton13@ecf.epiqsystems.com

CSD 3010 [07/01/18] (Page 2)

2. **Served by United States Mail:**

On June 29, 2023, I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing accurate copies in a sealed envelope in the United States Mail via 1) first class, postage prepaid or 2) certified mail with receipt number, addressed as follows:

3. **Served by Personal Delivery, Facsimile Transmission, Overnight Delivery, or Electronic Mail:**

Under Fed.R.Civ.P.5 and controlling LBR, on June 29, 2023, I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission, by overnight delivery and/or electronic mail as follows:

I declare under penalty of perjury under the laws of the United States of America that the statements made in this proof of service are true and correct.

Executed on June 29, 2023
(Date)

Jonathan J. Thomson /s/ Jonathan J. Thomson
(Typed Name and Signature)

222 N. Pacific Coast Highway, 3rd Floor
(Address)

El Segundo, CA 90245
(City, State, ZIP Code)

NEF Service List

CreditorName	Email
Christine E. Baur on behalf of Creditor Greenway Health, LLC	christine@baurbklaw.com; admin@baurbklaw.com
Anthony Bisconti on behalf of Interested Party San Ysidro Health	tbisconti@bklwlaw.com; admin@bienertkatzman.com; 4579179420@filings.docketbird.com
Daren Brinkman on behalf of Creditor Pourshirazi & Youssefi Dental Corporation	firm@brinkmanlaw.com; office@brinkmanlaw.com; 7764052420@filings.docketbird.com
Shawn Christianson on behalf of Creditor Oracle America, Inc. SII to NetSuite, Inc.	schristianson@buchalter.com; cmcintire@buchalter.com
Van C. Durrer, II on behalf of Attorney Skadden, Arps, Slate, Meagher & Flom LLP	van.durrer@skadden.com; rebecca.ritchie@skadden.com; andrea.bates@skadden.com; brigitte.travaglini@skadden.com
Anthony Dutra on behalf of Creditor Desert AIDS Project dba DAP Health	adutra@hansonbridgett.com; SSingh@hansonbridgett.com
Anthony Dutra on behalf of Creditor Philip D. Szold, M.D., Inc. dba La Mesa Pediatrics	adutra@hansonbridgett.com; SSingh@hansonbridgett.com
Christine M. Fitzgerald on behalf of Attorney Christine M. Fitzgerald	christine@thersfirm.com; maria@thersfirm.com; amy@thersfirm.com
Leslie Gardner on behalf of Creditor U.S. Department of Health and Human Services	leslie.gardner2@usdoj.gov; brenda.seyler@usdoj.gov; Efile.dkt.civ@usdoj.gov
Jeffrey Garfinkle on behalf of Creditor McKesson Corporation, on behalf of itself and certain corporate affiliates	jgarfinkle@buchalter.com; lverstegen@buchalter.com; docket@buchalter.com
Jeffrey Garfinkle on behalf of Interested Party McKesson Corporation	jgarfinkle@buchalter.com; lverstegen@buchalter.com; docket@buchalter.com
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Teddy Kapur on behalf of Creditor Committee Official Committee of Unsecured Creditors of Borrego Community Health Foundation	tkapur@pszjlaw.com; jpomerantz@pszjlaw.com; sgolden@pszjlaw.com
Dean T. Kirby, Jr. on behalf of Creditor Ramona Crossings, LLC	dkirby@fsl.law; jwilson@fsl.law

NEF Service List

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Kirsten Martinez on behalf of Creditor Wells Fargo Bank, N.A., d/b/a/ Wells Fargo Auto	kirsten.martinez@bonialpc.com; Notices.Bonial@ecf.courtdrive.com
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Tania M. Moyron on behalf of Attorney Dentons US LLP	tania.moyron@dentons.com; derry.kalve@dentons.com; DOCKET.GENERAL.LIT.LOS@dentons.com
Tania M. Moyron on behalf of Debtor BORREGO COMMUNITY HEALTH FOUNDATION,	tania.moyron@dentons.com; derry.kalve@dentons.com; DOCKET.GENERAL.LIT.LOS@dentons.com
Tania M. Moyron on behalf of Plaintiffs BORREGO COMMUNITY HEALTH FOUNDATION,	tania.moyron@dentons.com; derry.kalve@dentons.com; DOCKET.GENERAL.LIT.LOS@dentons.com
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Jeffrey N. Pomerantz on behalf of Creditor Committee Official Committee of Unsecured Creditors of Borrego Community Health Foundation	jpomerantz@pszjlaw.com; tkapur@pszjlaw.com; sgolden@pszjlaw.com; scho@pszjlaw.com
Jeffrey N. Pomerantz on behalf of Other Prof. FTI Consulting, Inc.	jpomerantz@pszjlaw.com; scho@pszjlaw.com
Michael B. Reynolds on behalf of Creditor Blue Shield of California Promise Health Plan	mreynolds@swlaw.com; kcollins@swlaw.com
Michael B. Reynolds on behalf of Creditor California Physicians' Service dba Blue Shield of California	mreynolds@swlaw.com; kcollins@swlaw.com

NEF Service List

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Gerald N. Sims on behalf of Creditor BETA Risk Management Authority	jerrys@psdslaw.com; bonniec@psdslaw.com
Cheryl Skigin on behalf of Creditor Ally Bank	caskigin@earthlink.net; ca.ecf@aislegaltrac.com
Randy B. Soref on behalf of Interested Party Family Health Centers of San Diego	rsoref@polsinelli.com
Susan C. Stevenson on behalf of Creditor BETA Healthcare Group	sstevenson@psdslaw.com; bonniec@psdslaw.com
Andrew B. Still on behalf of Creditor Blue Shield of California Promise Health Plan	astill@swlaw.com; kcollins@swlaw.com
Andrew B. Still on behalf of Creditor California Physicians' Service dba Blue Shield of California	astill@swlaw.com; kcollins@swlaw.com
Kelly Ann Mai Khanh Tran on behalf of Creditor Anna Navarro	kelly@smalllawcorp.com; emma@smalllawcorp.com
United States Trustee	ustp.region15@usdoj.gov
Kenneth K. Wang on behalf of Creditor CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES, by and through its Director, Michelle Baass	kenneth.wang@doj.ca.gov
Kenneth K. Wang on behalf of Defendant CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES, by and through its Director, Michelle Baass	kenneth.wang@doj.ca.gov
Darin L. Wessel on behalf of Creditor CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES, by and through its Director, Michelle Baass	darin.wessel@doj.ca.gov
Darin L. Wessel on behalf of Defendant CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES, by and through its Director, Michelle Baass	darin.wessel@doj.ca.gov
Helen Yang on behalf of Interested Party Inland Empire Health Plan	helen.yang@squirepb.com; helen-h-yang-8259@ecf.pacerpro.com; PHX_DCKT@squirepb.com

Description	CreditorName	CreditorNoticeName	Address1	Address2	City	State	Zip
Counsel for Ally Bank , c/o AIS Portfolio Services, LLC	AIS Portfolio Services, LLC	Ally Bank Department	4515 N Santa Fe Ave. Dept. APS	Account: XXXXXXXX3052, XXXXXXXX5851, XXXXXXXX9419	Oklahoma City	OK	73118
Secured Creditors	Ally Auto		PO Box 78369		Phoenix	AZ	85062-8369
Secured Creditors	Ally Auto		6716 Grade Lane	Building No 9, Suite 910	Louisville	KY	40213
Office of the Attorney General of the United States	Attorney General of the United States	US DOJ	950 Pennsylvania Avenue, NW		Washington	DC	20530-0001
Counsel for Premier Healthcare Management, Inc, Inland Valley Investments, LLC & DRP Holdings, LLC, Promenade Square, LLC	Barnes & Thornburg LLP	Ali M. M. Mojdehi	655 West Broadway, Suite 1300		San Diego	CA	92101
Counsel for San Ysidro Health	Bienert Katzman Littrell Williams LLP	Anthony R. Bisconti	360 E. 2nd Street, Suite 625		Los Angeles	CA	90012
Counsel for AB Staffing Solutions, LLC	Bryan Cave Leighton Paisner LLP	Kyle S. Hirsch	2 North Central Avenue, Suite 2100		Phoenix	AZ	85004
Counsel for AB Staffing Solutions, LLC	Bryan Cave Leighton Paisner LLP	Olivia J. Scott	1920 Main Street, Suite 1000		Irvine	CA	92614-7276
Counsel for Mckesson Corporation, on Behalf of itself and Certain Corporate Affiliates	Buchalter	Jeffrey K. Garfinkle	18400 Von Karman Ave., Suite 800		Irvine	CA	92612
Counsel for Creditor Oracle America, Inc., successor in interest to NetSuite, Inc.	Buchalter, A Professional Corporation	Shawn M. Christianson, Esq.	425 Market Street, Suite 2900		San Francisco	CA	94105-3493
California Department of Industrial Relations	CA Department of Industrial Relations	Labor Law Enforcement	1550 West Main Street		El Centro	CA	92243-2105
California Department of Public Health	CA Department of Public Health	Stephanie Spich	PO Box 997377, MS 0500		Sacramento	CA	95899-7377
California Department of Tax & Fee Administration	CA Department of Tax & Fee Administration	Account Information Group, MIC 29	PO Box 942879		Sacramento	CA	94279-0029
California Department of Tax & Fee Administration	CA Department of Tax & Fee Administration	Special Operations Bankruptcy Team, MIC 74	PO Box 942879		Sacramento	CA	94279-0074
California Department of Tax & Fee Administration	CA Department of Tax & Fee Administration		PO Box 942879		Sacramento	CA	94279
California Division of Labor Standards Enforcement	CA Division of Labor Standards Enforcement		7575 Metropolitan Drive, Ste 210		San Diego	CA	92108-4424
California Employment Development Department	CA Employment Development Department	Bankruptcy Unit, MIC 92E	PO Box 826880		Sacramento	CA	94280-0001
California Employment Development Department	CA Employment Development Department		PO Box 120831		San Diego	CA	92112-0831
California Employment Development Department	CA Employment Development Office		800 Capitol Mall		Sacramento	CA	95814
California Franchise Tax Board	CA Franchise Tax Board	Bankruptcy Section	PO Box 2952	MS A-340	Sacramento	CA	95812-2952
California Health & Human Services Agency	CA Health & Human Services Agency (CalHHS)	Mark Ghlaly, Secretary & Jared Goldman, General Counsel	1215 O Street		Sacramento	CA	95814
California State Board of Pharmacy	CA State Board of Pharmacy		1625 North Market		Sacramento	CA	95834
Center for Medicare and Medicaid Services	Center for Medicare and Medicaid Services		90 - 7th Street, Suite 5-300		San Francisco	CA	94103-6706
Counsel for Tower Energy Group, Inc.	Elkins Kalt Weintraub Reuben Gartside LLP	Michael I. Gottfried, Esq., Roye Zur, Esq.	10345 W. Olympic Blvd.		Los Angeles	CA	90064
Secured Creditors	Enterprise Fleet Management		6330 Marindustry Dr, Ste 210		San Diego	CA	92121
Secured Creditors	First American Equipment Finance		211 High Point Drive		Victor	NY	14564

First Class Mail Service List

Description	CreditorName	CreditorNoticeName	Address1	Address2	City	State	Zip
Counsel for Ramona Crossings, LLC	Franklin Soto Leeds LLP	Dean T. Kirby, Jr.	444 West C Street	Suite 1750	San Diego	CA	92101
Committee Member	Greenway Health, LLC	Attn Stephen Janes	4301 W. Boy Scout Blvd.	Suite 800	Tampa	FL	33607
Counsel for Philip D. Szold, M.D., Inc. dba La Mesa Pediatrics, Desert AIDS Project, Inc. dba DAP	Hanson Bridgett LLP	Anthony J. Dutra	425 Market Street, 26th Floor		San Francisco	CA	94105
IRS	Internal Revenue Service	Centralized Insolvency Operation	PO Box 7346		Philadelphia	PA	19101-7346
Counsel for Waleed Stephan, D.D.S., W.A. Stephan, a Dental Corporation, Marcelo G. Toledo, D.D.S. and Marcelo Toledo D.D.S., Inc.	Keith H. Rutman		501 West Broadway, Ste 1650		San Diego	CA	92101-3541
Counsel for Premier Healthcare Management, Inc (Top Creditor)	Kyle Harris LLP	Laura Kimberly Gantney, Jeffrey Harris	2305 Historic Decatur Rd	Suite 100	San Diego	CA	92106
Counsel for Greenway Health, LLC	Law Office Of Christine E. Baur	Christine E. Baur, Esq.	4653 Carmel Mountain Road	Suite 308 #332	San Diego	CA	92130
Committee Member	McKesson Corporation	Attn Pamela M. Craik, Regional Credit Director	3775 Seaport Blvd.		West Sacramento	CA	95691
Committee Member	Mustafa Bilal, DDS, Inc.	Attn Mustafa Bilala, DDS	1210 S. Brookhurst St.		Anaheim	CA	92804
California Attorney General	Office of the Attorney General	Consumer Protection Section, Attn Bankruptcy Notices	455 Golden Gate Avenue, Suite 11000		San Francisco	CA	94102-7004
California Attorney General	Office of the Attorney General	Darin L Wessel, Deputy Attorney General	600 West Broadway, Suite 1800	P.O. Box 85266	San Diego	CA	92186-5266
California Attorney General	Office of the Attorney General		1300 I Street		Sacramento	CA	95814-2919
Co-Counsel for U.S. Department of Health and Human Services	Office of the U.S. Attorney	Leslie M. Gardner and Randy S. Grossman	880 Front Street, Room 6293		San Diego	CA	92101-8893
Counsel for the Official Committee of Unsecured Creditors	Pachulski Stang Ziehl & Jones LLP	Jeffrey N. Pomerantz, Esq., Teddy M. Kapur, Esq., Steven W. Golden, Esq.	10100 Santa Monica Blvd., 13th Floor		Los Angeles	CA	90067-4100
Counsel for or Family Health Centers of San Diego	Polsinelli LLP	Randy B. Soref	2049 Century Park East, Suite 2900		Los Angeles	CA	90067
Counsel for Creditor Pourshirazi & Youssefi Dental Corporation	Pourshirazi & Youssefi Dental Corporation	c/o Brinkman Law Group, PC	543 Country Club Drive, Suite B		Wood Ranch	CA	93065
Committee Member	Pourshirazi & Youssefi Dental Corporation	Attn Homayoun Pourshirazi	31569 Canyon Estates Dr.	Suite 120	Lake Elsinore	CA	92532
Counsel for BETA Healthcare Group ("BETA")	Pyle Sims Duncan & Stevenson, APC	Gerald N. Sims, Susan C. Stevenson	1620 Fifth Avenue, Suite 400		San Diego	CA	92101
Counsel for Ramona Crossings, LLC	Ramona Crossings, LLC	Carrie Arendt	14908 Gavan Vista Road		Poway	CA	92064
Secured Creditors	Ricoh USA		PO Box 31001-0850		Pasadena	CA	91110
SEC Headquarters	Securities & Exchange Commission	Secretary of the Treasury	100 F St NE		Washington	DC	20549
Counsel for Creditor Anna Navarro	Small Law PC	Kelly Ann Tran	501 W. Broadway, Suite 1360		San Diego	CA	92101
Counsel for California Physicians Service dba Blue Shield of California and Blue Shield of California Promise Health Plan, California Physicians Service dba Blue Shield of California and Blue Shield of California Promise Health Plan	Snell & Wilmer L.L.P.	Andrew B. Still & Michael B. Reynolds	600 Anton Blvd, Suite 1400		Costa Mesa	CA	92626-7689
Counsel for Inland Empire Health Plan	Squire Patton Boggs (US) LLP	Helen H. Yang	555 South Flower Street, 31st Floor		Los Angeles	CA	90071

First Class Mail Service List

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US Department of Health and Human Services	US Department of Health and Human Services	Office of the General Counsel, Region IX	90 - 7th Street, Suite 4-500		San Francisco	CA	94103-6705
Office of The United States Trustee	US Trustee for Southern District of CA	Haeji Hong	880 Front Street, Third Floor, Suite 3230		San Diego	CA	92101
Office of The United States Trustee	US Trustee for Southern District of CA	Tiffany Carroll	880 Front Street, Suite 3230	Edward J Schwartz Office Building	San Diego	CA	92101
Committee Member	Vista Village Family Dentistry	Attn Mehrnaz Irani, DDS	950 Civic Center Dr.	Suite B	Vista	CA	92083
Committee Member	Vitamin D Public Relations, LLC	Attn Denise Gitsham	2534 Mankas Corner Rd.		Fairfield	CA	94534
Committee Member	We Klean Inc.	Attn Aracelis Gutierrez	1444 Main Street	#581	Ramona	CA	92065
Secured Creditors	Wells Fargo Dealer Services		PO Box 51963		Los Angeles	CA	90051-6263
Secured Creditors	Wells Fargo Dealer Services		420 Montgomery Street		San Francisco	CA	94104

First Class Mail Service List

Description	CreditorName	CreditorNoticeName	Address1	Address2	City	State	Zip
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Sublessee	Borrego Physical Therapy		587 Palm Canyon Dr #204		Borrego Springs	CA	92004
Landlord	James Wermers		PO Box 97		Borrego Springs	CA	92004

Email Service List

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Secured Creditors	Ally Auto		support@invest.ally.com
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Counsel for Creditor Oracle America, Inc., successor in interest to NetSuite, Inc.	Buchalter, A Professional Corporation	Shawn M. Christianson, Esq.	schristianson@buchalter.com
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Secured Creditors	First American Equipment Finance		mail@faef.com
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Committee Member	Greenway Health, LLC	Attn Stephen Janes	Stephen.janes@greenwayhealth.com
Counsel for Philip D. Szold, M.D., Inc. dba La Mesa Pediatrics, Desert AIDS Project, Inc. dba DAP	Hanson Bridgett LLP	Anthony J. Dutra	adutra@hansonbridgett.com
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Committee Member	McKesson Corporation	Attn Pamela M. Craik, Regional Credit Director	Pamela.craik@McKesson.com
Committee Member	Mustafa Bilal, DDS, Inc.	Attn Mustafa Bilal, DDS	VillageDentalGrouponline@yahoo.com
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Counsel for or Family Health Centers of San Diego	Polsinelli LLP	Randy B. Soref	rsoref@polsinelli.com
Counsel for Creditor Pourshirazi & Youssefi Dental Corporation	Pourshirazi & Youssefi Dental Corporation	c/o Brinkman Law Group, PC	firm@brinkmanlaw.com; office@brinkmanlaw.com
Committee Member	Pourshirazi & Youssefi Dental Corporation	Attn Homayoun Pourshirazi	Drhpemail@gmail.com
Counsel for BETA Healthcare Group ("BETA")	Pyle Sims Duncan & Stevenson, APC	Gerald N. Sims, Susan C. Stevenson	jerrys@psdslaw.com; sstevenson@psdslaw.com
SEC Headquarters	Securities & Exchange Commission	Secretary of the Treasury	SECBankruptcy-OGC-ADO@SEC.GOV
Counsel for Creditor Anna Navarro	Small Law PC	Kelly Ann Tran	kelly@smalllawcorp.com

Email Service List

Description	CreditorName	CreditorNoticeName	Email
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